

REMARKS / ARGUMENTS

In complete response to the Restriction Requirement dated July 31, 2009, on the above identified application, reconsideration is respectfully requested. Claims 30-49 are pending in this application.

Election/Restrictions

The Examiner requested a restriction under 35 U.S.C. 121 and 372 between the following allegedly distinct inventions:

- | | |
|---------------------------------------|---|
| Species I: Compound C ₁ : | 1a) Oxide of formula (I) (Claims 38 and 39) |
| | 1b) Perovskite Oxide of formula (II) (Claims 40-46) |
| | 1c) Formula (II') (Claim 47) |
| | 1d) Formula (III) (Claims 48 and 49) |
| Species II: Compound C ₂ : | 2a) Oxide-type material (Claims 30 and 36) |
| | 2b) Nonoxide-type material (Claims 30 and 37) |
| | 2c) Metals (Claim 30) |
| | 2d) Metal alloys (Claim 30) |
| | 2e) Mixture (Claim 30) |

In response to the requirement for restriction, the Applicants elect, without traverse, Species I (Compound C₁). Applicants assert that Species I reads upon claims 31-35 and 38-49. In the event the Examiner further requires Applicants to elect a subspecies (from Species I) out of 1a, 1b, 1c, and 1d, Applicants elect, without traverse, subspecies 1b.

CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

Date: **August 31, 2009**

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